

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
SE/S Philadelphia Road, 597' SW of *
King Avenue * ZONING COMMISSIONER
(9403-9413 Philadelphia Road) *
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District *
ROC Group Enterprises, LLC * Case No. 99-406-X
Petitioners *

Amended * * * * *
FINDINGS OF FACT AND CONCLUSIONS OF LAW

WHEREAS, this matter came before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owners of the subject property, ROC Group Enterprises, LLC, by Bernard Ruocco, Managing Member, through their attorney, Robert A. Hoffman, Esquire. The Petitioners sought approval of a business/trade school on the subject property, split zoned MLR-IM and MLR. By Order dated June 17, 1999, the relief requested was granted.

Subsequent to the issuance of said Order, Counsel for the Petitioners requested a modification thereof to clarify the start of classes on any given day, and the amount of traffic that will be generated by the proposed use. Both of these issues were addressed on Page 2 of the Order issued on June 17, 1999; however, Counsel for the Petitioners believed that further clarification was necessary.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of June, 1999 that Page 2 of the Order issued June 17, 1999 be and the same is hereby AMENDED as follows:


On Page 2, Paragraph 1, Line 7, after "Additionally," {the majority of students arrive for classes that start no earlier than 5:30 PM} instead of, "...the first classes of the day start no earlier than 5:30 PM."

ORDER RECEIVED FOR FILING

Date

On Page 2, Paragraph 2, Line 4, after the word "generate" {the bulk of its traffic} at a time of the day different than the other...", instead of "generate traffic at a time of the day different than the other..."

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued June 17, 1999 shall remain in full force and effect.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

Cc: Robert A. Hoffman, Esquire

Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, Md. 21204
Mr. Bernard Ruocco, ROC Group Enterprises, LLC, 13 Pebble Lane, Timonium, Md. 21093
Mr. Don Anderson, P.O. Box 1310, Newington, VA 22122
Mr. Ed Haile, Daft-McCune-Walker, Inc., 200 E. Pennsylvania Ave., Towson, Md. 21204
People's Counsel; Case File

OFFICE RECEIVED
6/21/99
[Signature]

IN RE: PETITION FOR SPECIAL EXCEPTION	* BEFORE THE
SE/S Philadelphia Road, 597' SW of	
King Avenue	* ZONING COMMISSIONER
(9403-9413 Philadelphia Road)	
15 th Election District	* OF BALTIMORE COUNTY
5 th Councilmanic District	
	* Case No. 99-406-X
ROC Group Enterprises, LLC	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owners of the subject property, ROC Group Enterprises, LLC, by Bernard Ruocco, Managing Member, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special exception for a business/trade school on the subject property, split zoned MLR-IM and MLR. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the request were Bernard Ruocco, Harry Wilkins, Mike Arnold, and Don Anderson, who is Director of Facilities for the Strayer University. Also appearing in support of the request were Ed Haile, Professional Engineer with Daft-McCune-Walker, Inc., who prepared the site plan for this property, Richard Moore, Traffic Engineering expert, and Robert A. Hoffman, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 14.302 acres, more or less, split zoned MLR-IM and MLR, and is located on Philadelphia Road, not far from its intersection with King Avenue in Rossville. Presently, the property is improved with a 49,500 sq.ft. office/warehouse building which was approved in prior development plan Case No. XV-654/zoning Case No. 96-415-SPHA by Deputy Zoning Commissioner Timothy M. Kotroco on June 5, 1996. The Petitioners now come before me seeking approval to construct a second building

ORDER RECEIVED FOR FILING

Date

BY

on this site for a proposed business/trade school which will be operated by the Strayer University. As shown on the site plan, the proposed building will contain 20,000 sq.ft. in area and will replace a second proposed building of a larger dimension which was approved in the prior development plan/zoning case.

Testimony and evidence was offered relative to the proposed use by Mr. Anderson, Director of Facilities for the Strayer University. Testimony revealed that the Strayer University was founded in Baltimore in 1892 and presently features 12 facilities in the Washington, D.C./Maryland area. The proposed building at the subject location will be the 13th facility. The school offers undergraduate and graduate study programs, primarily to working adults. A copy of the Strayer University 1999 catalog of courses of study offered was presented at the hearing. It was indicated that 1200 students at a maximum would be enrolled at the subject facility. Additionally, the first classes of the day start no earlier than 5:30 PM. Specifically, 15 classes during the week are offered running from 6:15 PM to 10:00 PM each evening. Additionally, there are typically 12 full-time faculty staff members employed, 30 adjunct faculty members, and 25 administrative staff.

These factors are significant in view of the primary issue related to the granting of the special exception; to wit, the impact of the proposed use in terms of parking and traffic. In this regard, Mr. Moore testified and offered a report regarding his findings. He particularly noted the fact that the proposed use would generate traffic at a time of the day different than the other industrial uses which are located nearby. Unlike those uses which are typically active during the day, the proposed facility will be more active during the evening hours. Thus, the traffic generated by the proposed use at this location will not conflict with existing traffic patterns during peak hours. Mr. Moore produced a written report (Petitioner's Exhibit 3) detailing his findings, based on his observation of the Strayer University campus in Woodbridge, VA.

Testimony was also offered by Mr. Haile regarding the other criteria for special exception relief, as set out in Section 502.1 of the B.C.Z.R. Mr. Haile offered an amended site plan (Petitioner's Exhibit 1) wherein the proposed parking lot has been reconfigured. As now proposed, 331 parking spaces will be provided on-site, which is more than the 219 spaces anticipated to be

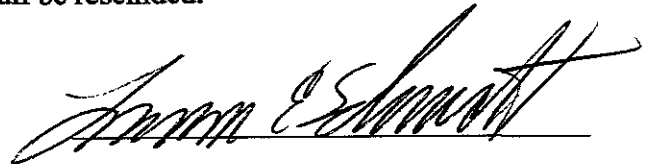
used at any one time. Mr. Haile also addressed the other requirements of Section 502.1 of the B.C.Z.R. and indicated that this project had received DRC approval as a refinement to the approval granted in prior Case No. XV-654/96-475-SPHA.

Based upon the testimony and evidence presented, I am persuaded that the relief requested satisfies the requirements of Section 502.1 of the B.C.Z.R. and should therefore be granted. I also expressly find that the Petitioners have satisfied the criteria for special exception relief in the MLR zone as set out in Section 248.4B of the B.C.Z.R. That Section permits business and trade schools to be located in an MLR zone which is part of a contiguous area of 25 acres or more of industrial zoning, when the specific use is an appropriate service to industries existing, planned, or normally expected to be located therein. In this case, I find that the general vicinity in which this property is located constitutes a contiguous area of 25 acres or more of industrial zoning and further, that the proposed use provides an appropriate service to existing and planned industries.

Pursuant to the advertisement, posting of the property and public hearing held thereon, and for the reasons set forth herein, the special exception relief shall be granted.

mtk THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of June, 1999 that the Petition for Special Exception for a business/trade school on the subject property, zoned MLR-IM and MLR, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 6/17/99
By [Signature]
LES:bjs



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 16, 1999

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
SE/S Philadelphia Road, 597' SW of King Avenue
(9403-9413 Philadelphia Road)
15th Election District – 5th Councilmanic District
ROC Group Enterprises, LLC – Petitioners
Case No. 99-406-X

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Bernard Ruocco, Managing Member, ROC Group Enterprises, LLC
13 Pebble Lane, Timonium, Md. 21093
Mr. Don Anderson, P.O. Box 1310, Newington, VA 22122
Mr. Ed Haile, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21204
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

South Side of Philadelphia Road,
approximately 597 ft. southwest of
for the property located at King Avenue

which is presently zoned MLR-IM and MLR

This Petition shall

be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Special Exception for a business/trade school in a MLR-IM and MLR zone.

Property is to be posted and advertised as prescribed by zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney for Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Ave

(410) 494-6200

Address

Telephone No.

Towson

MD

21204

State

Zip Code

Legal Owner(s):

ROC Group Enterprises, LLC

Name - Type or Print

By:

Signature Bernard Ruocco, Managing Member

Name - Type or Print

Signature

13 Pebble Lane

410-308-7777

Address

Telephone No.

Timonium

MD

21093

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman, Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave

(410) 494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

uca

Date

4-15-99

Case No. 99-406-X

Date

REV 9/15/98

DROP-OFF
NO REVIEW

Description

To Accompany Petition for Special Exception

7.234 Acre Parcel

Southeast Side of Philadelphia Road

Southwest Side of King Avenue

Fifteenth Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same on the southeast side of Philadelphia Road at the end of the second of the two following courses and distances, as measured from the point formed by the intersection of the centerline of King Avenue with the centerline of Philadelphia Road (1) Southwesterly along the centerline of Philadelphia Road 597 feet, more or less, and thence at a right angle to said centerline of Philadelphia Road (2) Southeasterly 48 feet, more or less, thence leaving said point of beginning and binding on the southeast side of Philadelphia Road (1) North 48 degrees 40 minutes 19 seconds East 526.16 feet, thence running for the five following courses and distances, viz: (2) South 40 degrees 55 minutes 03 seconds East 565.78 feet, thence (3) South 48 degrees 28 minutes 12 seconds West 543.08 feet, thence (4) North 50 degrees 43 minutes 57 seconds West 394.84 feet, thence (5) North 48 degrees 42 minutes 21 seconds East 115.00 feet, and thence (6) North 50 degrees 43 minutes 57 seconds West 180.64 feet to the point of beginning; containing 7.234 acres or land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

April 5, 1999

Project No. 95024.I (L95024I)



99-406-X

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **067009**

DATE 4/15/99 ACCOUNT 001-6150

AMOUNT \$ 300.00 (WCR)

RECEIVED FROM: Venable Baetjer & Howard

FOR: SPECIAL EXCEPTION Item 406

NE/S Phila Rd, 70' SW of centerline King Avenue Extended

Drop-Off --- No Review Case #99-406-X

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
4/23/1999 4/23/1999 10:10:42
REG #801 CASHIER JRIC JMR DROMER)
Dept 5 528 ZONING VERIFICATION
Receipt # 098810 OFLN
CR NO. 067009
Receipt tot 300.00
300.00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. 067009

DATE 4/15/99 ACCOUNT 001-6150

AMOUNT \$ 300.00 (WCR)

RECEIVED FROM: Venable Baetjer & Howard

FOR: SPECIAL EXCEPTION Item 406
NE/S Pilla Rd, 70' SW of centerline King Avenue Extended
Drop-Off --- No Review Case # 99-406-X

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
4/23/1999 4/23/1999 10:18:42
REG 4801 CASHIER JRIC JMR DKOMER
Dept 5 520 ZONING VERTIFICATION
Receipt # 078810
CR NJ. 067009
Receipt Tot 300.00
300.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-406-X
Ruocco Property
SE/S Philadelphia Road, 70'
SW of centerline King Avenue
Extended
15th Election District
5th Councilmanic District
Legal Owner(s): ROC Group
Enterprises, LLC

Special Exception: for a
business/trade school.

Hearing: Tuesday, June 1,
1999 at 2:00 p.m. in Room
407, County Courts Bldg.,
401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information concern-
ing the File and/or Hearing,
Contact the Zoning Review Of-
fice at (410) 887-3391.

5/17/99 May 13 C311500

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/13/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 5/13/, 1999.

THE JEFFERSONIAN,

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 99-406-X

Petitioner/Developer RUOCCO, ETAL
% ROBERT HOFFMAN, ESQ

Date of Hearing/Closing 6/1/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention Ms Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at ONSITE - PHILADELPHIA (SE/S)
ROAD. S. OF KING AVE. EXT.

The sign(s) were posted on

5/17/99
(Month, Day, Year)

Sincerely,

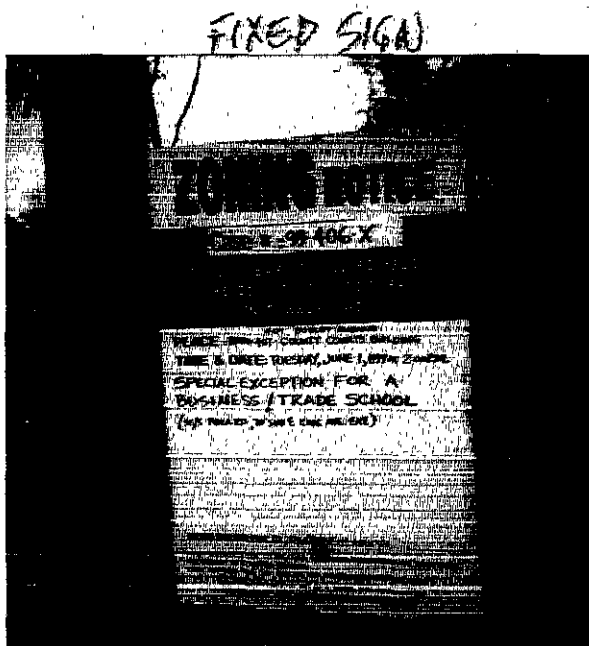
Patrick M. O'Keefe 5/22/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



RE: RUOCCO

99-406-X
PHILA RD. S. of
KING AVE. 6/1/99

EXTRA -
ZONING
COMM. HAS AN
ORIGINAL

CERTIFICATE OF POSTING

RE Case No 99-406-X

Petitioner/Developer RUOCCO, ETAL
% ROBERT HOFFMAN, ESQ

Date of Hearing/Closing 6/1/99

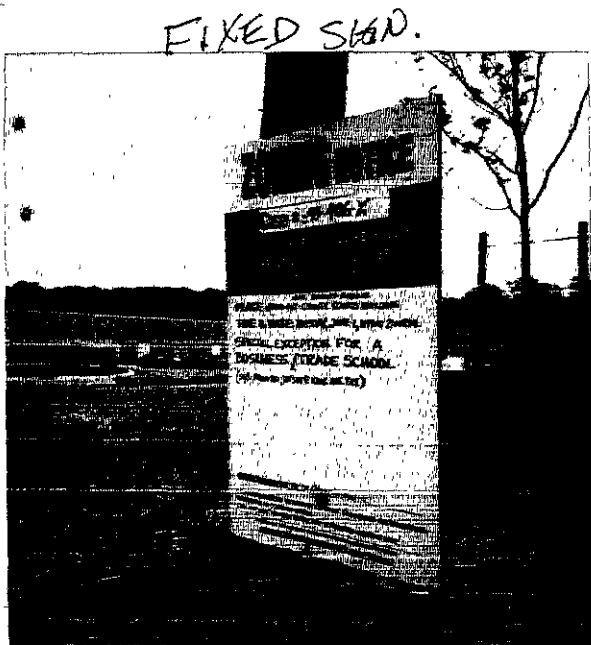
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms Gwendolyn Stephens

Ladies and Gentlemen

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ROAD. S. OF KING AVE. EXT.

The sign(s) were posted on 5/17/99
(Month, Day, Year)



Sincerely,

Patrick M. O'Keefe 5/22/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

99-406-X
PHILA RD. S. OF KING AVE
RUOCCO 6/1/99

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: _____

Petitioner: ROC Group Enterprises, LLC

Address or Location: South side Philadelphia Road, approximately 597 ft.
southwest of King Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA W. ORMORD, LEGAL ASSISTANT

Address: VENABLE, BAETJER & HOWARD, LLP
210 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

Telephone Number: 410-494-6201

Revised 2/20/98 - SCJ

99-406-X



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 15, 1999

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Drop-Off Petition, Case No. 99-406-X, ROC Group Enterprises

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper form pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to this office.

If you have any questions regarding the above, please do not hesitate to contact Sophia Jennings at or myself 410-887-3391.

Very truly yours,

A handwritten signature in black ink that reads "WCR/scj". The "WCR" is written in a stylized, cursive-like font, and "scj" is written in a simpler, more legible font.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-4016-X

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL EXCEPTION FOR A
BUSINESS/TRADE SCHOOL.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 28, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-406-X

Ruocco Property

SE/S Philadelphia Road, 70' SW of centerline King Avenue Extended

15th Election District – 5th Councilmanic District

Legal Owner: ROC Group Enterprises, LLC

Special Exception for a business/trade school.

HEARING: Tuesday, June 1, 1999 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with the number "54" written below it.

Arnold Jablon
Director

c: Robert A. Hoffman, Esquire
ROC Group Enterprises, LLC

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MAY 17, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
May 13, 1999 Issue – Jeffersonian

Please forward billing to:

Barbara W. Ormord, Legal Assistant 410-494-6201
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-406-X

Ruocco Property

SE/S Philadelphia Road, 70' SW of centerline King Avenue Extended

15th Election District – 5th Councilmanic District

Legal Owner: ROC Group Enterprises, LLC

Special Exception for a business/trade school.

HEARING: Tuesday, June 1, 1999 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 1, 1999

Robert A. Hoffman, Esq.
Venable, Baetjer and Howardm LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Case No.: 99-406-X
Petitioner: ROC Group Enterprises
Location: 597' SW of King Avenue

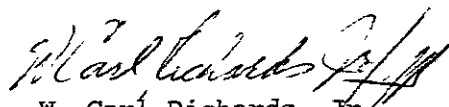
Dear Mr. Hoffman:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on April 15, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

APR 7, 1990

Arnold Bell, Director
Civilian Aids Association, 1111 E. Joppa Road, Suite 100
Baltimore County Office Building
Towson, MD 21286
MAIL STOP-1111

RE: Emergency Plan for BOMB-BOMB ENTERPRISES, INC.

Location: INTERVENTION MEETING OF APRIL 10, 1990

Case No.: 410 (circled) (circled) Agency:

Description:

Reference is made to the letter from the Baltimore County Fire Department dated April 10, 1990, regarding the Emergency Plan for BOMB-BOMB ENTERPRISES, INC. The letter states that the plan is to be reviewed and approved by the Board of the County of Baltimore, Maryland, and that the plan is to be approved by the Board of the County of Baltimore, Maryland, and that the plan is to be approved by the Board of the County of Baltimore, Maryland.

1. The plan shall be reviewed and approved by the Board of the County of Baltimore, Maryland, and that the plan is to be approved by the Board of the County of Baltimore, Maryland.

2. The plan shall be reviewed and approved by the Board of the County of Baltimore, Maryland, and that the plan is to be approved by the Board of the County of Baltimore, Maryland.

3. The plan shall be reviewed and approved by the Board of the County of Baltimore, Maryland, and that the plan is to be approved by the Board of the County of Baltimore, Maryland.

REVIEWER: IT. P. PRST. C. BAYFPAW. I

Fire Marshal, Office, PHONE: 410-887-4500, MOBILE: 410-887-4500

cc: P114



APR 30 1999

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

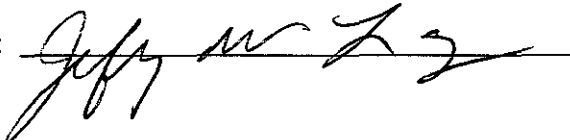
Date: April 30, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 406

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: 

AFK/JL

INTEROFFICE CORRESPONDENCE

Date: May 3, 1999

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for May 3, 1999
Item No. 406

The Bureau of Development Plans Review has reviewed the subject zoning item. The proposed parking grade along the rear of the lot must be compatible with the ultimate grade on Yellow Brick Road 25-foot revertible slope easement.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: 4/23/99

FROM: R. Bruce Seeley, Project Manager *RS/JS*
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: 4/26/99

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Additional Item .

Item #'s: 406



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 4.26.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 406 WCR

Dear Ms. Stephens:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

10 Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL EXCEPTION
Philadelphia Road, SE/S Philadelphia Rd,
70' SW of c/l King Ave extended, 15th Election
District, 5th Councilmanic .

Legal Owners: ROC Group Enterprises, LLC

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-406-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of April, 1999, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, P.O. Box 5517, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN

**STRAYER SCHOOL
SPECIAL EXCEPTION HEARING
PROJECT NO. 95024.I**

A. Be detrimental to the health, safety or general welfare of the locality involved.

The Strayer School will provide an educational opportunity for residents of the locality. Students are primarily enrolled for continuing education programs to enhance their professional opportunities.

The proposed use is housed within structures shown on an approved development plan, which was approved on the basis of its compliance with all applicable development regulations.

The proposed development will have no detrimental impact on the locality. To the contrary, it will have a beneficial impact on the locality by offering educational opportunities.

B. Dick Moore

C. Create potential hazard from fire, panic or other dangers.

The Strayer School will be designed, built, maintained and operated in continual compliance with all applicable life-safety, building, electrical, plumbing codes, regulations and standards governing these types of facilities.

From my perspective, it will not create a potential hazard from fire, panic or other dangers.

D. Tend to overcrowd land and causes undue concentration of population.

The proposed school is not a residential facility. All students are commuter students. As such, there will be no increase in population.

The Strayer School will not overcrowd land and cause undue concentration of population.

E. Interfere with adequate provisions for schools, parks, water, sewage, transportation, or other public requirements, conveniences or improvements.

The proposed facility is a school and has no affect on local school populations. Likewise, it has no affect on the use of parks in the area.

The site is served by existing public water mains and sewers. The pressure and capacity of these utilities are adequate for this use.

Site access is by means of Philadelphia Road. There are no traffic capacity problems existing or anticipated in the area.

There is no interference with any public requirements, conveniences or improvements.

F. Interfere with adequate light and air.

The school buildings comply with all BCZR setback requirements and CMDP standards.

There is no interference with light and air.

G. Be inconsistent with the purpose of the MLR zoning classification nor in any way inconsistent with the spirit and intent of these Zoning Regulations.

Business and trade schools are permitted by special exception in MLR zones. This particular use is a demonstratively appropriate service to existing and planned industries since it provides educational opportunities for the employees of industrial enterprises in the area.

The tract area for this use accounts for 13% of the total MLR zoned tract within which it is located. The building within which the use will be located is more than 100 foot from the right-of-way of Philadelphia Road.

Are there facts and circumstances that show that the Strayer School at this location would have adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location in a MLR zone?

Any potential adverse effect of the Strayer School would be no worse at this site that it would be if it were located elsewhere in a MLR zone. In fact, the access to a major highway system, off our parking and traffic demands and proximity to adjacent employment generators of students makes this an ideal location. My conclusion is that any potential adverse impact is less here than would be the case if it were located elsewhere.

Edmund F. Haile
May 31, 1999

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
410-494-6201

April 6, 1999

HAND DELIVERED

Mr. W. Carl Richards
Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Petition for Special Exception
Petitioner: ROC Group Enterprises, LLC
Location: South side of Philadelphia Road,
approx. 597 ft. southwest of King Avenue

Dear Mr. Richards:

I am drop filing the enclosed Petition for Special Exception for the above-referenced property. This request has been previously reviewed by John Alexander of your office. This property is not in violation of any zoning laws. With this letter, I have enclosed the following documents:

1. Petition for Special Exception (3)
2. Zoning Description (3)
3. Site Plan (12)
4. 200' Scale Zoning Map (1)
5. Newspaper advertising form (1)
6. Check in the amount of \$300.00

If you have any questions or concerns regarding this filing, please give me a call.

Sincerely,



Barbara W. Ormord
Legal Assistant

BWO
Enclosures
cc: Robert A. Hoffman, Esquire
TO1DOCS1/Baw01/#81101 v1

99-406-X

Strayer University
Woodbridge Campus
Woodbridge, Virginia

Spring Quarter - 1999	Registration
Enrollment -	1,242 Students
Thursday Students	480 Students
Night	416 Students
Classes	15

Thursday, May 27, 1999

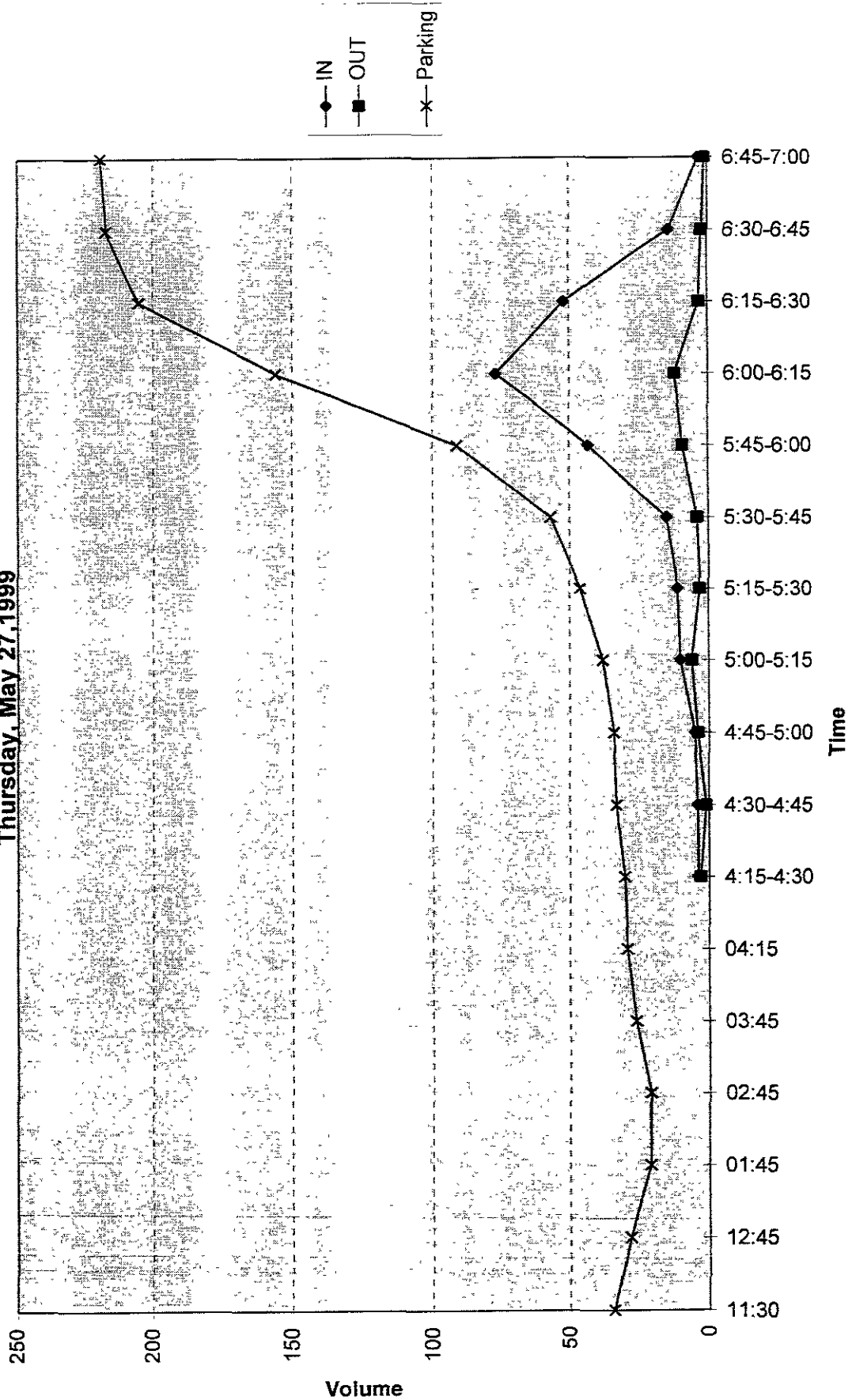
	IN	OUT	Parking Accumulation Parking
11:30			34
12:45			28
01:45			21
02:45			21
03:45			26
04:15			29
4:15-4:30	4	3	30
4:30-4:45	4	1	33
4:45-5:00	5	4	34
5:00-5:15	10	6	38
5:15-5:30	11	3	46
5:30-5:45	15	4	57
5:45-6:00	43	9	91
6:00-6:15	77	12	156
6:15-6:30	52	3	205
6:30-6:45	14	2	217
6:45-7:00	3	1	219

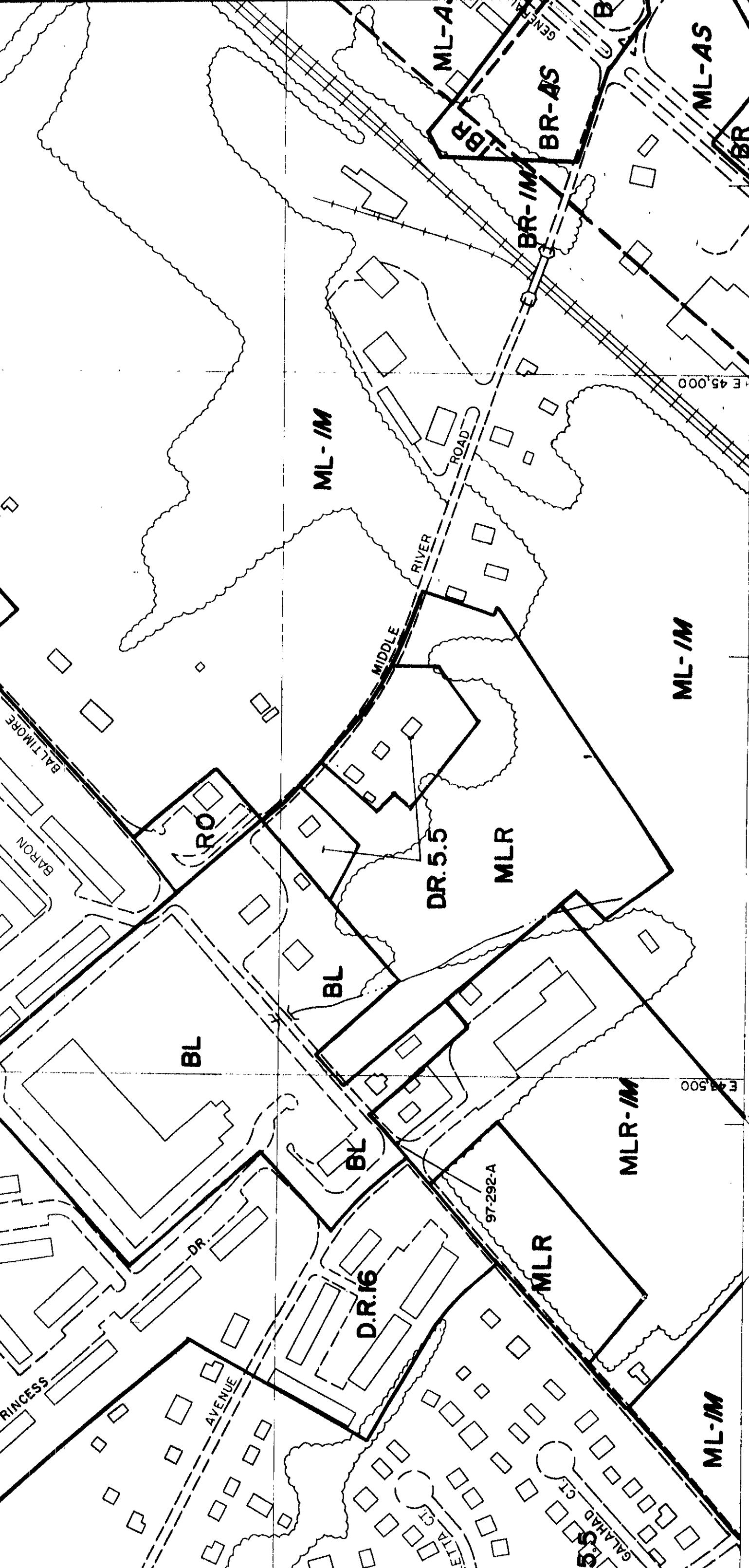
Peak 15 minutes	6:00-6:15 pm	77	12
Peak Hour	5:30-6:30 pm	187	28

Woodbridge Virginia
Required Parking Spaces per

Enrolled Registered Student	0.18 Spaces
Registered Night Student	0.53 Spaces
Classroom	14.6 Spaces

Strayer University
Woodbridge Virginia
Thursday, May 27, 1999





(SHEET N.E. 5-H)

1996 COMPREHENSIVE ZONING MAP

ADOPTED BY

THE BALTIMORE COUNTY COUNCIL

OCTOBER 8, 1996

Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kevin Kamenev

Chairman, County Council

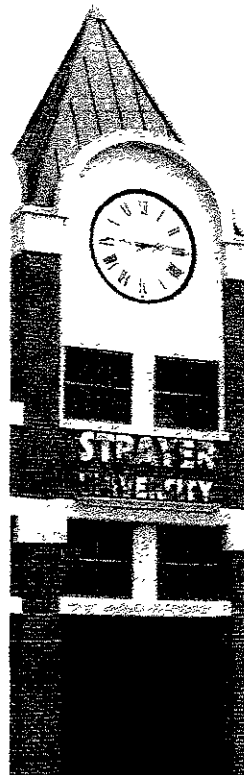
NE 6 H

IN SELECTED AREAS.
PHOTOGRAMMETRIC METHODS
BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

(Ed No 2)

Catalog 1999



STRAYER
UNIVERSITY

Undergraduate and Graduate Programs

